

IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF CALIFORNIA

JOSE LOUIS VARGAS,

Petitioner,

vs.

CAL TERHUNE, Director,

Respondent.

Case No. CIV F-99-6687 JKS P

ORDER

It has been brought to this Court's attention that there is a pending matter in this case remaining to be resolved. On December 16, 2004, this Court issued an order denying Petitioner's petition for habeas corpus. Docket No. 38. A separate judgment was entered the following day. Docket No. 39. The Court's final order also denied a certificate of appealability on any of Petitioner's claims. Petitioner then filed a notice of appeal with the Ninth Circuit Court of Appeals on December 27, 2004. Docket No. 40. However, on December 30, 2004, he filed a motion with this Court to make additional findings; a motion Petitioner supplemented shortly thereafter. *See* Docket Nos. 44; 46. The motion and its supplement are simply requests for reconsideration of parts of the Court's December 16 final order, although Petitioner frames them as requests under Federal Civil Rules 52 and 59. The Court has considered the requests and, to the extent its jurisdiction in this matter continues, **DENIES** the motion to make additional findings at **Docket No. 44**.

**IT IS SO ORDERED.**

Dated at Anchorage, Alaska, this 15th day of August 2005.

/s/ James K. Singleton, Jr.  
**JAMES K. SINGLETON, JR.**  
United States District Judge